

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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In Re: Group Health Plan Litigation

Case No. 23-cv-267 (JWB/DJF)

**AMENDED CASE MANAGEMENT  
ORDER**

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This matter is before the Court on the parties’ Joint Proposed Amended Case Management Order Deadlines (“Joint Proposal”) (ECF No. 106). The Court observes that the parties are seeking extensions to the fact discovery and other deadlines of over nine months based on a stay that went into effect October 10, 2023 (*see* ECF No. 83) and was lifted December 21, 2023 (*see* ECF No. 83)—a period of under two-and-a half months. The parties have proffered no rationale for seeking such lengthy delays, but the Court finds good cause to grant more moderate extensions to the applicable due dates. The Court cautions the parties that, particularly in light of the stay previously granted and the additional two months that have elapsed since the stay was lifted (during which the parties should have been preparing their case), it is now incumbent upon them to ensure this case proceeds without further delay. Requests for significant additional extensions to the pretrial schedule are unlikely to be granted absent exceptional circumstances. The Joint Proposal is **APPROVED IN PART AND DENIED IN PART** as follows:

**Fact Discovery**

- Deadline for completion of all fact discovery: **January 10, 2025.**

**Class Certification**

- Deadline for Plaintiffs to disclose the identities of experts and serve expert reports with respect to class certification: **April 10, 2024.**

- Deadline for depositions of Plaintiffs' experts with respect to class certification: **April 30, 2024.**
- Deadline for Defendant to disclose the identities of experts and serve expert reports with respect to class certification: **May 21, 2024.**
- Deadline for depositions of Defendant's experts with respect to class certification: **June 12, 2024.**
- Deadline for rebuttal expert disclosures and reports with respect to class certification: **July 2, 2024.**
- Deadline for depositions of rebuttal experts with respect to class certification: **July 23, 2024.**
- Deadline for Plaintiffs' class certification motion: **August 23, 2024.**
- Deadline for Defendant's response to Plaintiffs' class certification motion: **September 16, 2024.**
- Deadline for Plaintiffs' reply to Defendant's response to Plaintiffs' class certification motion: **September 30, 2024.**

#### **Expert Discovery**

Deadlines for expert discovery except as required under the Class Certification schedule above:

- Deadline for Plaintiffs to disclose the identity of initial experts and serve expert reports: **January 27, 2025.**
- Deadline for depositions of Plaintiffs' experts: **February 17, 2025.**
- Deadline for Defendant to disclose the identity of initial experts and serve expert reports: **March 13, 2025.**
- Deadline for depositions of Defendant's experts: **April 4, 2025.**
- Deadline to disclose the identity of rebuttal experts and serve rebuttal expert reports: **April 18, 2025.**
- Deadline for completion of all expert discovery, including depositions: **May 1, 2025.**

#### **Non-Dispositive Motion Deadlines**

- Motions to join or add parties: **May 17, 2024.**
- Motions to amend the pleadings: **May 17, 2024.**

- Discovery motions related to class certification: **July 30, 2024.**
- Motions related to expert discovery: **May 8, 2025.**
- *Daubert* motions: **June 9, 2025.**
- All other non-dispositive motions: **January 24, 2025.**

**Dispositive Motion Deadlines**

- All dispositive motions and supporting pleadings shall be scheduled, filed, and served on or before **June 9, 2025.**<sup>1</sup>

**Trial**

- This case shall be ready for jury trial on **September 9, 2025.**

All active deadlines not modified by this Order shall remain in force and effect.

**SO ORDERED.**

Dated: March 7, 2024

*s/ Dulce J. Foster*

Dulce J. Foster

United States Magistrate Judge

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<sup>1</sup> The Court notes that the parties' proposal requests a dispositive motion deadline that precedes the close of expert discovery. This Order imposes a dispositive motion deadline after the close of all discovery. The parties may not file dispositive motions before the close of discovery without first obtaining permission from District Judge Blackwell. (See Judge Blackwell's Practice Pointers, <https://www.mnd.uscourts.gov/sites/mnd/files/JWB.pdf>.)